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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,485	05/29/2002	Lars Andresen	P 290643	3220

909 7590 08/10/2004

PILLSBURY WINTHROP, LLP
P.O. BOX 10500
MCLEAN, VA 22102

EXAMINER

TAYLOR, BARRY W

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 08/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/069,485	Applicant(s) ANDRESEN ET AL.	
	Examiner Barry W Taylor	Art Unit 2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/27/2002</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-3, 7 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Henderson et al (6,404,869 hereinafter Henderson).

Regarding claim 1. Henderson teaches a method for customizing a prepaid service (abstract, figure 1) in a telecommunications system, the method comprising:

maintaining subscriber information on at least one prepaid subscriber (see 106 figure 1 used to store subscriber information for subscribers);

defining at least two different profiles, each profile defining at least one attribute for the prepaid service (see 106 figure 1 used to define profiles such as card usage data having attributes of remaining minutes, unit billing rates (col. 5 lines 16-53), other profiles include location identifier(s) corresponding to geographic locations, telephone numbers having attributes of special, preferred, and discount telephone service rates (col. 5 lines 16-53);

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associating the subscriber's subscriber information with one profile (col. 5 lines 54-64),

providing the prepaid service to the subscriber as indicated by the attribute defined in the profile associated with the subscriber (col. 5 lines 41-47).

Regarding claim 2. Henderson discloses carrying out associating during subscription provisioning (col. 5 lines 16-21).

Regarding claim 3. Henderson discloses updating subscriber information during recharge (col. 6 lines 14-23).

Regarding claim 7. Henderson teaches a telecommunications system offering prepaid subscription services (see 104 figure 1), the system comprising at least one database (see 106 figure 1) having subscriber information on at least one prepaid subscriber, wherein the system is arranged to maintain at least two different profiles, each profile defining at least one attribute for the prepaid service (see 106 figure 1 used to define profiles such as card usage data having attributes of remaining minutes, unit billing rates (col. 5 lines 16-53), other profiles include location identifier(s) corresponding to geographic locations, telephone numbers having attributes of special, preferred, and discount telephone service rates (col. 5 lines 16-53); to associate the subscriber's subscriber information with one profile (col. 5 lines 54-64); and to provide the prepaid service to the subscriber as indicated by the attribute defined in the profile associated with the subscriber (col. 5 lines 41-47).

Regarding claim 11. Henderson teaches a network element (see 104 figure 1) in a telecommunication where subscribers of the system can prepay for their calls (col. 6 line 19) using prepaid card (120 figure 1) inherently reading on voucher, the element including a database (see 106 figure 1) or a connection (col. 5 lines 1-16) to a database having subscriber information of prepaid subscribers, wherein the network element is arranged to have access to profile definitions, each profile defining at least one attribute for the prepaid service (see 106 figure 1 used to define profiles such as card usage data having attributes of remaining minutes, unit billing rates (col. 5 lines 16-53), other profiles include location identifier(s) corresponding to geographic locations, telephone numbers having attributes of special, preferred, and discount telephone service rates (col. 5 lines 16-53)), and to update the subscriber information during recharge according to a profile associated with the recharging subscriber's subscriber information (col. 6 line 19).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 4-6 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henderson et al (6,404,869 hereinafter Henderson) in view of Pierce et al (5,408,519 hereinafter Pierce).

Regarding claims 4 and 8. Henderson does not explicitly show the attribute of being a deposit function defining how to calculate the credit during recharge.

Pierce teaches telecommunications system and method for recharging account balance. Pierce allows the user to arrange for automatic renewal of the account balance on a regular basis, for example, a user may arrange to have the \$25.00 face value of a debit account restored automatically a maximum of one time every seven days if and when the account balance falls below \$5.00 (col. 4 lines 24-65 and col. 6 lines 8-17) and if the debit account has already been

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restored during that seven-day period, the system will not restore the balance a second time as a protection against fraud (col. 4 lines 66-68).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the pre-paid telephone calling card processing system (see 104 figure 1) to incorporate the renewal function as taught by Pierce for the benefit of automatically renewing the balance of pre-paid account on a regular basis.

Regarding claims 5 and 9. Henderson does not explicitly show the attribute of being an expiry function defining how to calculate the validity time of the prepaid account.

Pierce teaches telecommunications system and method for recharging account balance. Pierce allows the user to arrange for automatic renewal of the account balance on a regular basis, for example, a user may arrange to have the \$25.00 face value of a debit account restored automatically a maximum of one time every seven days if and when the account balance falls below \$5.00 (col. 4 lines 24-65 and col. 6 lines 8-17) and if the debit account has already been restored during that seven-day period, the system will not restore the balance a second time as a protection against fraud (col. 4 lines 66-68).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the pre-paid telephone calling card processing system (see 104 figure 1) to incorporate the renewal function as taught by Pierce for the

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benefit of limiting the number of times the pre-paid account can be replenished during a week.

Regarding claims 6 and 10. Henderson does not explicitly show the attribute of being an expiry state handling function defining how the possibilities of a subscriber are limited over time when no recharge is carried out.

Pierce teaches telecommunications system and method for recharging account balance. Pierce allows the user to arrange for automatic renewal of the account balance on a regular basis, for example, a user may arrange to have the \$25.00 face value of a debit account restored automatically a maximum of one time every seven days if and when the account balance falls below \$5.00 (col. 4 lines 24-65 and col. 6 lines 8-17) and if the debit account has already been restored during that seven-day period, the system will not restore the balance a second time as a protection against fraud (col. 4 lines 66-68).

It would have been obvious for any one of ordinary skill in the art at the time of invention to modify the pre-paid telephone calling card processing system (see 104 figure 1) to incorporate the renewal function as taught by Pierce for the benefit of automatically renewing the balance of pre-paid account if and when the account balance falls below certain value.


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry W. Taylor whose telephone number is

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(703) 305-4811. The examiner can normally be reached on Monday-Friday from 6:30am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (703) 305-4708. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Technology Center 2600 customer service Office whose telephone number is (703) 306-0377.


CURTIS KUNTZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600